



County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA
Chief Executive Officer

May 19, 2010

To: Supervisor Gloria Molina, Chair
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

IMPACT OF THE STATE'S EARLY RELEASE PROGRAM (ADMIN MEMO, AGENDA OF MARCH 2, 2010)

On March 2, 2010, your Board directed the Chief Executive Officer (CEO) to provide monthly reports on the impact the State's prison and parole reforms have on the Sheriff's Department (Sheriff), Department of Mental Health (DMH) and Department of Health Services (DHS); and to incorporate feedback from the Countywide Criminal Justice Coordination Committee's (CCJCC) subcommittee on prison and parole reform.

On March 25, 2010, CCJCC's subcommittee on prison and parole reform, which includes representatives from the Sheriff, District Attorney, Public Defender, Alternate Public Defender, Probation, Public Health, and Mental Health Departments, met with the California Department of Corrections and Rehabilitation (CDCR) to continue the advocacy of our positions and improve our understanding of the potential impacts of prison reform.

At this meeting, CDCR provided an update on the implementation of Senate Bill x3 18, which took effect January 25, 2010. The law focuses on the areas of sentencing, inmate credit changes, parole re-entry programs, community corrections, and parole policy. At this time, the information provided in this report on the impact(s) to our County departments will focus on Non-Revocable Parolee (NRP) data.

Non-Revocable Parolee (NRP)

On January 25, 2010, CDCR began the process of screening offenders to qualify parolees for NRP. Once a parolee qualifies for NRP, they will not be assigned to a parole agent nor required to report.

CDCR has indicated the review process will require the assessment of over 30,000 parolees currently living in Los Angeles County to determine each individual's qualification for NRP. CDCR has estimated that this examination process will take a period of between four (4) to six (6) months. CDCR also indicated that after a more strenuous review of their parolee data, they have increased their estimate for potential NRP candidates from 7,700 parolees to approximately 9,100 parolees currently residing in Los Angeles County. The original approximation of 7,700 parolees was based on a less formal automated screening.

To date, CDCR has reviewed over 3,000 cases of NRP candidates for the Los Angeles County region. Of these 3,000 cases, only 1,794 parolees have passed the second screening and have qualified for NRP status. This number is a much lower percentage of qualified NRPs than anticipated by CDCR.

As mentioned, NRP parolees are no longer monitored by a parole officer. Therefore, should a NRP parolee commit a crime, the parolee is afforded the identical due process as a civilian without any prior criminal history. The only difference between a NRP parolee and a civilian without a criminal record is the parolee is subject to search due to probable cause.

In order for a parolee to qualify for NRP, the offender must meet the following criteria:

- The person is not required to register as a sex offender.
- The person was not committed to prison for a serious felony and does not have a prior conviction for a serious felony.
- The person was not committed to prison for a sexually violent offense and does not have a prior conviction for a sexually violent offense.
- The person was not found guilty of a serious disciplinary offense during his or her current term of imprisonment.
- The person is not a validated prison gang member, as defined by CDCR.

- The person did not refuse to sign any written notification of parole requirements or conditions.
- The person was evaluated by the CDCR using a validated risk-assessment tool and was not determined to pose a high risk to reoffend.

Sheriff's Department

In anticipation of the State's prison reform efforts, the Sheriff has created a Parole Monitoring Program (Program) to identify parolees that could potentially be released by CDCR with NPR status. Since CDCR will not be providing updated information on the status of unsupervised parolees in their Law Enforcement Automated Database System, the Program will become a critical tool in providing NRP information to our County departments. The Sheriff's Program will utilize the Los Angeles Regional Crime Information System (LARCIS) to track the unsupervised parolee's current address and vehicles. LARCIS information will be available to all 46 independent law enforcement agencies in Los Angeles County who have already signed a Memorandum of Understanding to share information from their department's records management systems, by utilizing a master server referred to as CopLink. Once the Program is operational and implemented, Sheriff will provide your Board with monthly prison reform impact information as requested.

Department of Mental Health

DMH has recently completed a suspension of the DMH claiming system during the transition to the State's new Short-Doyle II System. The conversion is now complete, but full-month data from the new system is not yet readily available. Accordingly, beginning with next month's report, DMH will provide your Board with monthly information regarding the number of individuals referred by CDCR and the total cost of care, as directed on March 2, 2010.

The following information from March 5, 2010, represents the most current readily available DMH cost information affected by the implementation of NRP. DMH's Countywide Resource Management and directly operated programs reported having seen 134 individuals believed to be on parole or referred by parole outpatient clinics since January 1, 2010. This number exceeds the number reported to have been transferred to date by CDCR and may reflect self-identification of parole status by some individuals who were previously on parole and have completed their parole requirements, as well as others who are on NRP status. Thirty-nine (39) individuals show actual outpatient claims for services for a total cost of \$42,379. Since claim submissions lag behind service delivery, this figure can be expected to increase as

programs enter data into the system. Eleven (11) uninsured individuals have received medications for a total cost to date of \$2,754. There have been 16 known inpatient admissions since January 1, 2010, with an estimated cost of \$71,613. However, since costs are not generally claimed by those in inpatient units until the time of discharge, a total cost for these inpatients' stays cannot yet be reported. Four (4) individuals were admitted to Institutions for Mental Diseases (IMD) units; two (2) have been discharged. The approximate total IMD cost is \$11,880.

Department of Health Services

Between March 2, 2010 and April 14, 2010, DHS has received seven (7) total requests from the State prison system for inmates to be placed in DHS facilities. This is higher than the usual volume received by DHS. During the period between 2006 and February 9, 2010, DHS had only admitted 25 individuals from the State prison system.

Although the seven (7) requests from the State prison system during this period represent an increase in request volume, DHS does not have sufficient information at this time to determine whether this increase is related to a change in State corrections' policies.

CDCR Developments

California State Association of Counties (CSAC) has been working with CDCR to establish an Inmate Transition Protocol Working Group. The working group was established after CSAC and a number of other county affiliates met with CDCR to discuss what counties felt were instances where CDCR was "dumping" inmates at local hospitals and psychiatric facilities upon their discharge from state prison.

CDCR has contacted our County, as well as other affected counties throughout the State, to identify representatives for an Inmate Transition Protocol Working Group that the State plans to establish. The purpose of this working group is threefold: (1) to create a forum for sharing information, concerns, and practical solutions; (2) to identify appropriate communication and information protocols; and (3) to build communication networks where needed.

In order to facilitate improved communication between the State and counties, the working group's focus will be to identify a point of contact within each county for the State to contact in instances where they are having difficulty finding appropriate placement within the community for an inmate who is set to be discharged in the near future and who has significant mental health and/or medical needs. The County contacts would offer advice to the State about other community resources within the

Each Supervisor
May 19, 2010
Page 5

County that the State should consider as placement alternatives when the inmate is discharged.

Summary

We will continue our partnership with CDCR in an effort to monitor the status of the State's prison reform efforts and to provide your Board with updates on any policy and financial impacts to the County of Los Angeles. Should you have any questions, please contact me or your staff may contact Deputy Chief Executive Officer Jacqueline A. White, Public Safety, at (213) 893-2374.

WTF:BC:JAW
DC:llm

c: Executive Office, Board of Supervisors
 County Counsel
 District Attorney
 Sheriff's Department
 Alternate Public Defender
 Countywide Criminal Justice Coordination Committee
 Department of Health Services
 Department of Mental Health
 Probation Department
 Public Defender
 Department of Public Health